



PATENT
TH1657 (US)
HS:KNL

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Filed 7/1/04

Date: Dec. 17, 2004

File copy

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)

MAREK MATUSZ ET AL,)

Serial No. 10/815,089)

Filed March 31, 2004)

CATALYST COMPOSITION, A PROCESS FOR)
PREPARING THE CATALYST COMPOSITION,)
AND A USE OF THE CATALYST)
COMPOSITION)

Group Art Unit: 1625

Examiner:

December 17, 2004

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION UNDER RULE 1.78

The Applicant hereby requests consideration of this Petition Under Rule 1.78.

The undersigned recently became aware that the old practice of being able to insert a cross reference to a prior U.S. application by requesting such in the patent application transmittal form was changed by the new amendment practice effective July 30, 2003. It was at this time that the undersigned reviewed this patent application and found out that the amendment to include the required cross reference to the U.S. application serial number 10/431,035 had only been requested at the time of filing in the transmittal form. The undersigned states that this error to include a preliminary amendment along with the filing was unintentional and that the entire delay in submitting this amendment was unintentional. The Applicant requests that the amendment of the specification in the amendment filed concurrently herewith be accepted.

12/23/2004 CCHAU1 0000023 191800 10815089
01 FC:1454 1370.00 DR
Adjustment date: 04/07/2005 AKELLEY
12/23/2004 CCHAU1 0000023 191800 10815089
01 FC:1454 1370.00 DR

Applicant requests that the amendment of the specification in the amendment filed concurrently herewith be accepted.

The Applicant requests that the fee of \$1,370.00 for filing this petition and any fee/surcharge required for late filing of the amendment to include the cross reference to the prior application be charged to Shell Oil Company Deposit Account 19-1800.

Respectfully submitted,

MAREK MATUSZ ET AL

By *Richard F. Lernuth*
His Attorney, Richard F. Lernuth
Registration No. 30,081
(713) 241-3716

P.O. Box 2463
Houston, TX 77252-2463

IN THE SPECIFICATION:

Please amend the specification by inserting before the first line:

This application claims the benefit of U.S. Provisional Application No. 60/459,136 filed March 31, 2003, the entire disclosure of which is hereby incorporated by reference.

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND | | | | | | | | | | |
|---|-----------------------------------|--|------------------|---|---|----|---|---|---|---|
| 1 Date of Request: <u>4/4/05</u> | | 2 Serial/Patent # <u>10/815,089</u> | | | | | | | | |
| 3 Please refund the following fee(s): | | 4 PAPER NUMBER | 5 DATE FILED | | | | | | | |
| | Filing | | \$ | | | | | | | |
| | Amendment | | \$ | | | | | | | |
| | Extension of Time | | \$ | | | | | | | |
| | Notice of Appeal/Appeal | | \$ | | | | | | | |
| ✓ | Petition | | 12/24/04 \$ 1370 | | | | | | | |
| | Issue | | \$ | | | | | | | |
| | Cert of Correction/Terminal Disc. | | \$ | | | | | | | |
| | Maintenance | | \$ | | | | | | | |
| | Assignment | | \$ | | | | | | | |
| | Other | | \$ | | | | | | | |
| | | 7 TOTAL AMOUNT OF REFUND \$1370 | | | | | | | | |
| | | 8 TO BE REFUNDED BY: | | | | | | | | |
| | | Treasury Check | | | | | | | | |
| | | Credit Deposit A/C #: | | | | | | | | |
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| 10 REASON: | | | | | | | | | | |
| | Overpayment | | | | | | | | | |
| | Duplicate Payment | | | | | | | | | |
| X | No Fee Due (Explanation): | | | | | | | | | |
| <i>unnecessary</i> | | | | | | | | | | |
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| 11 REFUND REQUESTED BY: | | | | | | | | | | |
| TYPED/PRINTED NAME: <u>WILLIAM LAYMON</u> | | TITLE: <u>pat. exam.</u> | | | | | | | | |
| SIGNATURE: <u>Will Laymon</u> | | PHONE: _____ | | | | | | | | |
| OFFICE: _____ | | | | | | | | | | |
| ***** THIS SPACE RESERVED FOR FINANCE USE ONLY: ***** | | | | | | | | | | |
| APPROVED: <u>[Signature]</u> | | DATE: <u>4-7/05</u> | | | | | | | | |

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**